Harassment Alleged Post 7-15-71

Philadelphia Suit Filed Against FBI

PHILADELPHIA, July 14 (AP)—Accusing the FBI of trying to isolate and silence critics of the government, the American Friends Service Committee, another peace group and 18 individuals filed suit in U.S. District Court today seeking an injunction against alleged harassment.

The suit named Attorney General John N. Mitchell, FBI Director J. Edgar Hoover and Special Agent Joe D. Jamison, head of the FBI in Philadelphia as defendants in their official capacities and individually.

The 18-page complaint charged the FBI with some 30 specific acts "taken for the sole purpose of intimidating and harassing the plaintiffs . . . and deterring and chilling plaintiffs from engaging in constitutionally protected activity of free speech, association, assembly, press, movement and petition."

The FBI in Philadelphia had no comment.

Three of the persons bringing the suit, Jim Hart, Anne Flitcraft and Francis Femia, read a statement on behalf of the Philadelphia Resistance saying:

"FBI agents are attempting to create around us an atmosphere of fear so that others will be afraid to speak or work with us or to oppose publicly the policies of our government as we have been actively doing."

The AFSC is a Quaker-founded group set up for social, religious and philantropic work in the United States and foreign countries. The Philadelphia Resistance is an anti-war, antidraft organization. Of the 18 persons bringing the suit, 13 are employees of the AFSC or the Resistance.

The complaint said the alleged harassment began April 1 under the pretense of investigating the March theft of documents from an FBI office in Media, Pa.

Various documents stolen from Media have been published by newspapers. One called for continued investigations of radicals because it will "enhance the paranoia endemic in these circles and will further serve to get the point across there is an FBI agent behind every mailbox."

The complaint listed nine incidents of surveillance, including: following Resistance workers from their homes to the office for days at a time, stopping them on the street and questioning them about political activities and trying to persuade them that they did not need to have a lawyer present, taking pictures and keeping the Resistance office and the Resistance commune under daily surveillance.

The complaint also said that during a warranted search of the apartment of Miss Flitcraft, a worker for the AFSC, FBI agents physically threatened her and her attorney, David Kairys, when they asserted her rights. "Plaintiff Flitcraft was further harrassed when agents read her personal letters in the apartment and attempted to humiliated her by passing them around."

The complaint charged plaintiff Jim B. Hart, in his '20s, was assaulted by an FBI agent who "grabbed him around the neck and arrested him without probable cause." No criminal charges were placed against Hart and he was not informed of his rights during two hours of questioning on his political and social beliefs and associations, the complaint said.

The complaint said David Nirenberg, a Resistance worker, who is on probation, and Francis Femia, an AFSC worker, who is on parole for destroying draft records and refusing induction, were threatened with the loss of their probation and parole and that Nirenberg was told that his phone was tapped.

The suit asked an injunction restraining the FBI from harassment and seeks a total of $270,000 damages.